

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

- against -

CLGE, INC., CHRISTINE MOUSSU,
individually, and as an officer, director, or
managing member of I.D. Marketing
Solutions, Inc. and CLGE, Inc., I.D.
MARKETING SOLUTIONS, INC., METRO
DATA MANAGEMENT, INC. d/b/a DATA
MARKETING GROUP, LTD., and KEITHA
ROCCO, individually and as an Officer of
Metro Data Management, Inc.,

Defendants.

Civil Action No. 14-6792 (SJF)(GRB)

(Feuerstein, J.)

(Brown, M.J.)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ MAR 17 2016 ★

LONG ISLAND OFFICE

DEFAULT JUDGMENT PURSUANT TO FED. R. CIV. P. 55

On November 19, 2014, the UNITED STATES OF AMERICA, commenced this action against *inter alia* defendant CLGE, Inc. ("CLGE") by the filing of a complaint and the issuance of summons;

The UNITED STATES alleges that CLGE engaged in an ongoing direct-mail fraud scheme targeting consumers nationwide, and specifically that *inter alia*:

- a. CLGE mailed solicitations to victims promoting various psychic and clairvoyant services and purported talismans;
- b. CLGE's solicitations fraudulently represented that they were personalized to the individual recipient;
- c. CLGE's solicitations fraudulently represented that psychics David Phild, Sandra Rochefort, Antonia Donera and Nicholas Chakan had had visions or had otherwise

- determined that the individual victim had the opportunity to achieve great wealth and happiness if they purchased the psychic's services or products;
- d. CLGE's solicitations fraudulently represented that the psychic's products are unique talismans, when in reality the products are worthless trinkets purchased in bulk and sent to thousands of customers; and
- e. In response to receiving these direct mail solicitations, thousands of American customers had sent millions of dollars to defendants.

The UNITED STATES seeking *inter alia* permanent injunctive relief pursuant to 18 U.S.C. § 1345, enjoining CLGE from engaging in schemes to defraud consumers in the UNITED STATES through direct-mail solicitations;

The Court having issued a temporary restraining order as to, *inter alia*, defendant CLGE, upon the *ex parte* application of the UNITED STATES on November 19, 2014;

The summons and complaint having been served upon CLGE on November 25, 2014, and proof of service having been filed with the Office of the Clerk of the Court;

The Court having found that the unopposed evidence submitted by the UNITED STATES demonstrated probable cause to believe CLGE was engaged in a mail fraud scheme in violation of 18 U.S.C. § 1341, and having issued a preliminary injunction as to CLGE on December 19, 2014;

French Counsel for CLGE having applied to appear in this matter *pro hac vice*, and such application having been denied;

The Court having ordered CLGE to have counsel admitted to practice before this Court file a notice of appearance on or before May 27, 2015;

No counsel having filed a notice of appearance on behalf of CLGE to date;

CLGE having failed to answer or defend in this action;

The Court having ordered the entry of default against CLGE on May 27, 2015; and

Upon the pleadings, papers and proceedings herein to date,

NOW, on motion of the UNITED STATES, it is hereby

ORDERED AND ADJUDGED that judgment by default be entered against CLGE in favor of the UNITED STATES pursuant to Fed. R. Civ. P. 55, permanently enjoining CLGE as follows:

1. Pursuant to 18 U.S.C. § 1345 and the inherent power of this Court:
 - i. Defendant CLGE, its agents, officers, employees, and successors, and all other persons and entities in active concert or participation with them are jointly and severally permanently enjoined from committing mail fraud, as defined by 18 U.S.C. § 1341;
 - ii. Defendant CLGE, its agents, officers, employees, and successors, and all other persons and entities in active concert or participation with them are jointly and severally permanently enjoined from using the United States mails or causing others to use the United States mails to distribute:
 1. any advertisements, solicitations, or promotional materials on behalf of CLGE, David Phild, Sandra Rochefort, Antonia Donera, Nicholas Chakan or any other actual or fictional individual or entity purporting to offer psychic, clairvoyant or astrological items or services for a fee;
 2. any advertisements, solicitations, or promotional materials that represent, directly or indirectly, expressly or impliedly, that the recipient of the mailing was specifically selected to receive the mailing

based on a reason other than the fact that the recipient's name appears on a mailing list;

3. any advertisements, solicitations, or promotional materials that guarantee, directly or indirectly, expressly or impliedly, that services or items offered for purchase will improve the consumer's financial condition;
4. any advertisements, solicitations, or promotional materials that represent, directly or indirectly, expressly or impliedly, that services or items offered for purchase will enable the purchaser to win money through the lottery or other game of chance, or will entitle the purchaser to receive an inheritance or payment; or
5. any other false and misleading advertisements, solicitations, or promotional materials;

- iii. Defendant CLGE, its agents, officers, employees, and successors, and all other persons and entities in active concert or participation with them are jointly and severally permanently enjoined from receiving or causing to be delivered any incoming mail, at any address anywhere in the United States of America, which is responsive to any advertisements, solicitations, or promotional materials on behalf of CLGE, David Phild, Sandra Rochefort, Antonia Donera, Nicholas Chakan or any other actual or fictional individual or entity purporting to offer psychic, clairvoyant or astrological items or services for a fee;

- iv. Defendant CLGE, its agents, officers, employees, and successors, and all other persons and entities in active concert or participation with them are jointly and severally permanently enjoined from using, possessing, having control over, or forwarding mail from or to any address, Post Office Box, or Commercial Mail Receiving Agency (CMRA) Box, which has been used by the Defendant CLGE or its agents to receive any incoming mail which is responsive to any advertisements, solicitations, payments, or promotional materials sent in the United States on behalf of any actual, or fictional individual or entity purporting to offer psychic, clairvoyant, or astrological items or services for a fee, including but not limited to:
1. 245 8th Ave., Box # 887, New York, NY 10011
 2. 130 7th Ave., Box # 102, New York, NY 10011
 3. 101 W. 23rd St., Box # 116, New York, NY 10011
 4. 459 Columbus Ave., Box # 501, New York, NY 10024
- v. Defendant CLGE, its agents, officers, employees, and successors, and all other persons and entities in active concert or participation with them are jointly and severally permanently enjoined from selling, offering for sale, licensing, renting, disclosing or utilizing any lists of consumers or mailing lists of any type, knowing that such lists have been compiled from consumers who have responded to solicitations bearing the names CLGE, David Phild, Sandra Rochefort, Antonia Donera, or Nicholas Chakan;
- vi. Unless otherwise required to be maintained pursuant to law, defendant CLGE, its agents, officers, employees, and successors, and all other persons and

entities in active concert or participation with them are ordered to dispose of any lists of consumers or mailing lists of any type compiled from consumers who have responded to solicitations bearing the names CLGE, David Phild, Sandra Rochefort, Antonia Donera, or Nicholas Chakan. Any third party custodian who has possession of any such lists who receives actual notice of this order shall dispose of such lists. To the extent such third party custodian is required to maintain such lists as a matter of law, such third party custodian shall prevent access to such lists by CLGE, its agents, officers and employees. Disposal shall be by means that protect against unauthorized access to the customer information, such as by burning or shredding any papers, and by erasing or destroying any electronic media, to ensure that the customer information cannot practicably be read or reconstructed;

- vii. Defendant CLGE, its agents, officers, employees, and successors, and all other persons and entities in active concert or participation with them are jointly and severally permanently enjoined from performing “caging services,” including processing direct mail payments and orders, with regard to direct mail solicitations on behalf of CLGE, David Phild, Sandra Rochefort, Antonia Donera, Nicholas Chakan or any other actual or fictional individual or entity purporting to offer psychic, clairvoyant or astrological items or services for a fee;
- viii. The United States Postal Inspection Service is authorized to open any and all United States Mail detained by the United States Postal Inspection Service pursuant to the Temporary Restraining Order in this matter. The United

States Postal Inspection Service shall return any currency, bearer instruments (including but not limited to money orders and travelers checks), and any personal effects that can be positively identified with its sender. This return shall include a letter notifying the sender of the disposition of this matter, attached here as Exhibit A. The United States Postal Inspection Service is authorized to destroy any and all remaining detained mail matter (including but not limited to envelopes, order forms, correspondence, personal checks, and payment card information (PCI)).

IT IS FURTHER ORDERED that this order shall constitute a final judgment and order in this action as to defendant CLGE.

The Clerk of the Court shall close this case.

SO ORDERED this 17th day of March, 2016.



s/ Sandra J. Feuerstein

HONORABLE SANDRA J. FEUERSTEIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A



UNITED STATES POSTAL INSPECTION SERVICE

DOJ MAIL FRAUD TEAM

██████████, 2015

██████████, Last Name

██████████, Zip

Re: United States of America, Plaintiff v. CLGE, Inc., Christina House, I.D. Marketing Solutions, Inc., Metro Data Management, Inc., and Keitha Rocco, Defendants;
Civil Action Number 14-CV-6792 (SJF)

Dear Sir/Madam:

We are writing you because you previously mailed [merge field--money/bearer instrument/personal item and specific amount of remission] to David Phild, Sandra Rochefort, Antonia Donera, or Nicholas Chakan. We are returning your [merge field--money/bearer instrument/personal item and specific amount of remission].

Last year, the United States Department of Justice (DOJ) filed civil charges against the above named defendants. The case, filed in the Eastern District of New York, alleged that the defendants conducted a scheme to defraud consumers through email. Specifically, DOJ alleged that the defendants solicited payments from consumers for services and talismans provided by purported psychics David Phild, Sandra Rochefort, Antonia Donera, and Nicholas Chakan, based upon purported individual psychic visions of consumers' wealth and happiness. DOJ alleged that these purported individual psychic visions were nothing more than form letters sent as mass-mailings to individuals whose names appear in mailing lists purchased by the Defendants, and who were fraudulent.

On November 19, 2014, the United States District Court made a probable cause determination that the defendants were conducting the mail fraud scheme described above. Among other things, the court ordered the U.S. Postal Service to detain mail sent to the defendants and purported psychics.

On ██████████ 2015, the District Court entered a permanent injunction against CLGE, Inc., prohibiting the company, its officers, employees, agents and successors, and others, from offering psychic, clairvoyant, or astrological items or services for a fee. This injunction also requires USPS to return to consumers any currency, bearer instruments (such as money orders or travelers checks), or personal items that can be identified with a specific sender. Enclosed, please find the [merge field--money/bearer instrument/personal item and specific amount of remission] that was able to be identified as belonging specifically to you.

Should you have any questions about this notice, please contact Cheryl Duffy with the U.S. Postal Inspection Service at (202) 353-0371. For more information, visit [insert URL for press release website].